

REMARKS***Summary of the Amendment***

Upon entry of the above amendment, claims 1, 7, 8, and 18 will have been amended. Accordingly, claims 1 – 20 currently remain pending.

Summary of the Official Action

In the instant Office Action, the Examiner has objected to claim 18 based upon formal matters, and has rejected claims 1 – 6 and 7 – 17 as being directed to non-statutory subject matter and claims 1 – 20 over the art of record. By the present amendment and remarks, Applicants submit that the objections and rejections have been overcome, and respectfully request reconsideration of the outstanding Office Action and allowance of the present application.

Objection Under 37 C.F.R. 1.75(c) is Moot

Applicants submit the objection to claim 18 under 37 C.F.R. 1.75(c) is moot in view of the instant amendment to this claim. In particular, as claim 18 has been presented in independent form, i.e., to recite the features of the method, the objection for improper dependent form is rendered moot.

Accordingly, Applicants request that the Examiner reconsider and withdraw the objection to claim 18 and indicate that these claims are in proper form and in compliance with the Patent Office rules.

Rejection Under 35 U.S.C. § 101 is Moot***1. Claims 1 – 6***

Applicants submit that, by the present amendment, independent claim 1 has been amended to tie the method of claim 1 to specific structure, thus rendering the rejection of these claims under 35 U.S.C. § 101 moot. In particular, independent claim 1 has been amended to

recite *issuing an alert to a user when the risk of at least one of a supply shortage and a necessity of initiating supply is determined.*

As the Examiner's concerns with regard to the recitation of statutory subject matter in claims 1 – 6 have been addressed by the present amendment, Applicants request that the Examiner reconsider and withdraw the rejection of claims 1 – 6 under 35 U.S.C. § 101, and indicate that these claims are fully in compliance with the requirements of the statute.

1. Claims 7 – 17

Applicants submit that, by the present amendment, independent claims 7 and 8 have been amended to recited a system *stored on a tangible medium* for monitoring a supply between at least one supplier and at least one client, which renders moot the rejection under 35 U.S.C. § 101.

As the Examiner's concerns with regard to the recitation of statutory subject matter in claims 7 – 17 have been addressed by the present amendment, Applicants request that the Examiner reconsider and withdraw the rejection of claims 7 – 17 under 35 U.S.C. § 101, and indicate that these claims are fully in compliance with the requirements of the statute.

Traversal of Rejection Under 35 U.S.C. § 102(e)

Applicants traverse the rejection of claims 1 – 20 under 35 U.S.C. § 102(e) as being anticipated by GRETTVE et al. (U.S. Patent No. 6,591,243) [hereinafter "GRETTVE"]. The Examiner asserts that GRETTVE shows all of the features recited in the above-noted claims. Applicants traverse the Examiner's assertions.

As discussed in Applicants' previous response, the present invention is directed to monitoring a supply between suppliers and clients, e.g., for industrial projects. In the non-

limiting exemplary embodiment of the invention described in the application, the construction of an oil well is described. As many projects can be concurrently and/or successively occurring at the job site, it is preferable that supplies are available when needed to avoid the cost of downtime waiting for additional supplies. However, it may also be advantageous to avoid costs for paying for all supplies upfront and/or to avoid the cost associated with storing supplies (either already purchased or available on consignment) around the job site.

Further, Applicants note the Examiner's comments presented in the *Response to Argument* section of the pending Office Action, which appear to mischaracterize the above-noted statements. In the bridging paragraph on pages 8 and 9 of the pending Office Action, the Examiner alleges that "the basis of Applicant's entire argument" is that GRETTVE "has no relation to customer projects." While Applicants note that GRETTVE does not disclose projects, *per se*, Applicants note that this defect of the applied art is not the basis of Applicants' entire argument. Applicants' traversal of the pending rejection is based on the failure of GRETTVE to disclose each and every recited element of the pending claims, and upon the Examiner's failure positively identify each recited element in the pending claims.

In this regard, as more fully developed below, the Examiner has cited generalized statements in GRETTVE as disclosure of various expressly recited features of the pending claims. However, the Examiner has not positively identified the specific elements or features recited in the claims to inform Applicants as what parts of the applied art allegedly correspond to the claimed elements. Therefore, in the event the Examiner intends to maintain this rejection in a subsequent action, Applicants request that the Examiner provide a complete office action identifying where the disclosure of GRETTVE positively describes the allegedly corresponding recited element or feature in Applicants' claims.

Of course, Applicants do not believe that the Examiner can comply with this request because GRETTVE, in contrast to the embodiments of the invention recited in the pending claims, is simply an automated system for receiving and processing a purchase order that is generally described in such a manner that the details of the pending claims cannot be positively identified in the applied art.

The embodiments of the invention recited in the pending claims are generally directed to monitoring *the supply* of materials and *usage of that supply* to ensure that materials are available when needed without the expense of large upfront costs and/or costs for storing and maintaining materials at the job site when such materials are not presently needed. GRETTVE in contrast is directed to submitting a purchase order and delivering the ordered goods. In this regard, Applicants' independent claim 1 is directed to method implemented on a computer of monitoring a supply between at least one supplier and at least one client, in which a client site has at least one project, and each project is associated with dated requirements for products, and maintaining a state of product stock and product purchases, and recites, *inter alia*, *creating a list of product types required for each project*, producing *at least one table for each product type* for a sequence of time slices having a chosen time origin, the at least one table having a *first running total* for each time slice from the time origin up to a time slice of interest of *a first quantity associated with the dated requirements of the client site*, a *second running total* for each time slice from a time origin up to a time slice of interest, of *a second quantity associated with the stock and the purchases*, wherein the purchases are shifted timewise according to a delay in time; *searching the at least one table for times* at which the second running total is less than the first running total which is *indicative of a risk of at least one of a supply shortage and a necessity of initiating supply*, and *issuing an alert to a user when the risk of at least one of a supply shortage and a*

necessity of initiating supply is determined. Applicants' independent claim 7 is directed to a system stored on a tangible medium for monitoring a supply between at least one supplier and at least one client using a computer, and recites, *inter alia*, a monitoring module *configured to maintain in memory a dated state of requirements for products associated with at least one project* and further configured to *concurrently maintain in memory a state of stock and purchases of the products*, and the monitoring module comprises a control module that includes a requirements module configured to produce, for each product type, a *first table* associated with a sequence of time slices having a chosen time origin, wherein the first table associates with each time slice a *first running total of requirements* from a time origin up to a time slice of interest, a resources module configured to produce, for each product type, a *second table* associated with a sequence of time slices, wherein the second table associates with each time slice a *second running total of stock and purchases* from the time origin up to the time slice of interest, wherein the purchases are shifted timewise according to a delay in time, and a *comparator that searches for times at which second running totals are less than first running totals which are indicative of a risk of a supply shortage*. Further, Applicants' independent claim 8 is directed to a system stored on a tangible medium for monitoring a supply between at least one supplier and at least one client, and recites, *inter alia*, a monitoring module configured to *maintain in memory a dated state of requirements of products associated with one or more projects* and configured to *maintain in memory, at the same time, a state of the stock and purchases of the products*, and the monitoring module comprises a running total module that receives, as parameters, a designation of a product type, a mode, and a time origin, the running total module produces, for the designated product type, a *table* associating successive time slices with a *running total of product quantities* being defined by the mode, wherein each running total goes from the time

origin up to a time slice of interest, and a control module that calls the running total module with a product type and a mode of requirements on a client site, to which *the running total module supplies a first table*, the control module calls the running total module with the same product type, and a mode of stock and deliveries, to which *the running total module supplies a second table*, and the *control module searches for times at which the running totals in the second table become less in the first table, which are indicative of a risk of supply shortage*. Applicants' now independent claim 18 is directed to a computer readable medium product stored on a tangible medium comprising a program for executing a method, and recites, *inter alia, creating a list of product types* required for each project, producing *at least one table for each product type* for a sequence of time slices having a chosen time origin, the at least one table having a *first running total for each time slice from the time origin up to a time slice of interest of a first quantity associated with the dated requirements of the client site; and a second running total for each time slice from a time origin up to a time slice of interest, of a second quantity associated with the stock and the purchases*, wherein the purchases are shifted timewise according to a delay in time, and *searching the at least one table for times at which the second running total is less than the first running total which is indicative of a risk of at least one of a supply shortage and a necessity of initiating supply*. Finally, Applicants' independent claim 19 is directed to a computer readable medium product stored on a tangible medium comprising a program being executable for implementing functions of a monitoring module that includes a control module, in a system for monitoring a supply between at least one supplier and at least one client, and recites, *inter alia*, that the implemented functions of the monitoring module include maintaining in memory a *dated state of requirements for products associated with at least one project and concurrently maintaining in memory a state of stock and purchases of the products*, producing,

for each product type, via a requirements module of the control module, *a first table associated with a sequence of time slices having a chosen time origin*, wherein the first table associates with each time slice a first running total of requirements from a time origin up to a time slice of interest, producing, for each product type, via a resources module of the control module a *second table associated with a sequence of time slices*, wherein the second table associates with each time slice a second running total of stock and purchases from the time origin up to the time slice of interest, wherein the purchases are shifted timewise according to a delay in time, and searching, via a comparator, for times at which second running totals are less than first running totals *which are indicative of a risk of a supply shortage*. Applicants submit GRETTVE fails to disclose at least the above-noted features of the invention.

1. Independent Claim 1:

Thus, a careful review of GRETTVE reveals that the applied art fails to disclose *creating a list of product types required for each project, producing at least one table for each product type for a sequence of time slices having a chosen time origin, wherein the purchases are shifted timewise according to a delay in time; searching the at least one table for times at which the second running total is less than the first running total which is indicative of a risk of at least one of a supply shortage and a necessity of initiating supply; and issuing an alert to a user when the risk of at least one of a supply shortage and a necessity of initiating supply is determined*, as recited in at least independent claim 1.

While GRETTVE discloses supplier means for receiving customer product information, including customer product balance data, customer outflow demand data from the customer means, and customer's customer product information such as customer's customer product balance data and customer's customer outflow demand data from customer's customer means via

the customer means, *see* GRETTVE, col. 3, lines 43 – 50, there is no disclosure of GRETTVE creating a list of product types, and producing, for each listed product type, at least one table having a *first running total* for each time slice from the time origin up to a time slice of interest of a *first quantity associated with the dated requirements of the client site*, a *second running total* for each time slice from a time origin up to a time slice of interest, of a *second quantity associated with the stock and the purchases*. At best, GRETTVE creates a purchase order for delivery to the customer, in which a demand time for delivery is requested and stored in supplier means 1. However, the Examiner has not identified any specific disclosure in GRETTVE that arguably disclosed that at least one table is produced for each product type.

Further, Applicants note that GRETTVE does not even arguably disclose the specifically recited features of the at least one table that is produced for each product type. In particular, while noting col. 3, lines 56 – 60 disclose determining and storing of a demand time for a refilling of balance of customer storage based on customer product information, the Examiner has not shown how this disclosure relates to the above “table” of GRETTVE is produced for a sequence of time slices having a chosen time origin, as recited in at least independent claim 1. That is, the Examiner has not identified a time slice in GRETTVE and certainly not a sequence of time slices in tables for each product, as recited in independent claim 1. As GRETTVE is based upon an intended single delivery scheme by determining the optimum time for delivering the requested goods, GRETTVE has no need to consider sequences of time slices, as recited in Applicants. For this additional reason, Applicants submit GRETTVE fails to anticipate the instant invention.

Because GRETTVE fails to even arguably disclose the production of the recited at least one table for each product type for a sequence of time slices, Applicants submit that col. 4, lines

31 and 32 of GRETTVE cannot even arguably describe a *first running total* for each time slice from the time origin up to a time slice of interest of a *first quantity associated with the dated requirements of the client site*, as recited in at least independent claim 1. Further, as the above-noted disclosure of GRETTVE relates to the customer means 2, and not to the supplier means 1, which the Examiner asserts as the recited table, the cited disclosure in GRETTVE cannot be reasonably construed as further defining the at least one table, as recited in Applicants' independent claim 1. Similarly, as GRETTVE fails to even arguably disclose the production of the recited at least one table for each product type for a sequence of time slices, Applicants submit that col. 4, lines 40 – 44 of GRETTVE cannot even arguably describe a *second running total* for each time slice from a time origin up to a time slice of interest, of a *second quantity associated with the stock and the purchases*, as recited in at least independent claim 1. Again, this disclosure of GRETTVE is directed to the customer means 2, and therefore cannot logically further define the Examiner's alleged table that is supplier means 1. Moreover, as GRETTVE is directed to delivery of a purchase order, Applicants submit that GRETTVE fails to show, and the Examiner has failed to identify explicit disclosure of, purchases that are shifted timewise according to a delay in time, as recited in independent claim 1.

Further, as GRETTVE fails to disclose the first and second running totals, Applicants submit that col. 4, lines 50 – 54 of GRETTVE cannot even arguably describe *searching the at least one table for times* at which the second running total is less than the first running total which is *indicative of a risk of at least one of a supply shortage and a necessity of initiating supply*. As discussed above, GRETTVE determines the optimum time for delivering the goods to the customer, but there is no disclosure in GRETTVE that this determination is based upon the recited running totals in Applicants' at least one table for each product type for a sequence of

time slices. Instead, GRETTVE makes his determination based upon customer information data, as described above. Thus, for this additional reason, Applicants submit GRETTVE fails to anticipate the invention recited in at least independent claim 1.

Finally, because GRETTVE does not search the alleged table to determine whether an indication of a risk of at least one of a supply shortage and a necessity of initiating supply, Applicants submit there is certainly no disclosure of *issuing an alert to a user when the risk of at least one of a supply shortage and a necessity of initiating supply is determined*, as recited in at least independent claim 1. In particular, Applicants note that GRETTVE fails to provide any alert or alarm being issued to the user when a risk of supply shortage or a necessity of initiating supply is determined. Thus, for this additional reason, Applicants submit that GRETTVE fails to show each and every recited feature of the pending claims.

Accordingly, Applicants submit that GRETTVE fails to show each and every recited element of at least independent claim 1, such that the Examiner has failed to establish an adequate evidentiary basis to support a rejection of anticipation under 35 U.S.C. § 102(e). Therefore, Applicants submit the pending rejection is improper and should be withdrawn.

2. Independent Claims 7 and 19:

Applicants further note that a careful review of GRETTVE reveals that the applied art fails to disclose a monitoring module *configured to maintain in memory a dated state of requirements for products associated with at least one project* and further configured to *concurrently maintain in memory a state of stock and purchases of the products*, as recited in at least independent claims 7 and 19. While GRETTVE discloses means for receiving customer product information, including customer product balance data, customer outflow demand data

from the customer means, and customer's customer product information such as customer's customer product balance data and customer's customer outflow demand data from customer's customer means via the customer means, *see* GRETTVE, col. 3, lines 43 – 50, there is no disclosure of GRETTVE having a module that *maintains a dated state of requirements for products associated with at least one project and maintains a state of stock and purchases of the products in memory*. At best, GRETTVE creates a purchase order for delivery to the customer, but this action by GRETTVE merely identifies a single date for delivery, and thus has no reason for maintaining the stock and purchases of the products in memory. Thus, Applicants submit this document can anticipate of Applicants' invention.

There is no apparent disclosure in GRETTVE of the recited first and second tables produced by the requirements module and the resources module, respectively, or of the requirements module and the resource module recited in the pending claims. In particular, as discussed above, even if GRETTVE is understood to generate a table for each product, which Applicants submit there is no such disclosure, GRETTVE certainly does not disclose, and the Examiner has not positively identified, time slices in each of the tables and first and second running totals for the each time slice in the respective first and second tables, as recited in at least independent claims 7 and 19. As discussed above, GRETTVE is based upon an intended single delivery scheme by determining the optimum time for delivering the requested goods, as such, GRETTVE has no need for sequences of time slices, as recited in Applicants' independent claims 7 and 19. For this additional reason, Applicants submit GRETTVE fails to anticipate the instant invention.

Because GRETTVE fails to even arguably disclose the requirements module configured to produce the recited first table for each product type associated with a sequence of time slices,

Applicants submit that col. 4, lines 31 and 32 of GRETTVE cannot even arguably describe a *first running total of requirements* from a time origin up to a time slice of interest, as recited in at least independent claims 7 and 19. Similarly, as GRETTVE fails to even arguably disclose the production of the recited at least one table for each product type for a sequence of time slices, Applicants submit that col. 4, lines 40 – 44 of GRETTVE cannot even arguably describe a *second running total of stock and the purchases* from the time origin up to the time slice of interest, as recited in at least independent claims 7 and 19. Moreover, Applicants note that, as GRETTVE fails to disclose that purchases are shifted timewise according to a delay in time, the applied art fails to recite this additional feature of Applicants' claims.

As discussed above, as GRETTVE fails to disclose, and the Examiner has not positively identified, the first and second running totals, Applicants submit that col. 4, lines 50 – 54 of GRETTVE cannot even arguably describe a comparator that *searches for times* at which second running totals are less than first running totals which are *indicative of a risk of at least one of a supply shortage*, as recited in at least independent claims 7 and 19. As discussed above, GRETTVE determines the optimum time for delivering the goods to the customer, but this determination is based on the demanded delivery time, and not upon the recited running totals in Applicants' at least one table for each product type for a sequence of time slices. Instead, GRETTVE makes his determination based upon customer information data, as described above. Thus, for this additional reason, Applicants submit GRETTVE fails to anticipate the invention recited in at least independent claims 7 and 19.

Accordingly, Applicants submit that GRETTVE fails to show each and every recited element of at least independent claims 7 and 19, such that the Examiner has failed to establish an

adequate evidentiary basis to support a rejection of anticipation under 35 U.S.C. § 102(e).

Therefore, Applicants submit the pending rejection is improper and should be withdrawn.

3. Independent Claim 8:

Similar to independent claims 7 and 19 discussed above, a careful review of GRETIVE also reveals that the applied art fails to disclose a monitoring module *configured to maintain in memory a dated state of requirements for products associated with one or more projects and configured to maintain in memory, at the same time, a state of the stock and purchases of the products*, as recited in at least independent claim 8. While GRETIVE discloses means for receiving customer product information, including customer product balance data, customer outflow demand data from the customer means, and customer's customer product information such as customer's customer product balance data and customer's customer outflow demand data from customer's customer means via the customer means, *see* GRETIVE, col. 3, lines 43 – 50, there is no disclosure of GRETIVE having a module that *maintains a dated state of requirements for products associated with one or more projects and maintains a state of the stock and purchases of the products in memory*. At best, GRETIVE creates a purchase order for delivery to the customer, but this action by GRETIVE merely identifies a single date for delivery, and thus has no reason for maintaining the stock and purchases of the products in memory. Thus, Applicants submit this document can anticipate of Applicants' invention.

Further, there is no apparent disclosure in GRETIVE of the running total module that receives, as parameters, a designation of a product type, a mode, and a time origin, the running total module produces, for the designated product type, *a table* associating successive time slices with a *running total of product quantities* being defined by the mode, wherein each running total goes from the time origin up to a time slice of interest, as recited in at least independent claim 8.

In fact, Applicants note that GRETTVE fails to disclose any device for producing a table associating successive time slices with a *running total of product quantities* being defined by the mode. As discussed above, GRETTVE is based upon an intended single delivery scheme by determining the optimum time for delivering the requested goods, as such, GRETTVE monitors only the delivery date and has no need to consider successive time slices, as recited in Applicants' independent claim 8. For this additional reason, Applicants submit GRETTVE fails to anticipate the instant invention.

As noted above, GRETTVE fails disclose, and the Examiner fails to positively identify, a running total module, a first and second table, or any manner for searching times at which running totals of the first and second tables are indicative of a risk of a supply shortage. Thus, Applicants submit that GRETTVE fails to anticipate the embodiment of the invention recited in at least independent claim 8, which recites a control module that includes calling the running total module with a product type and a mode of requirements on a client site, to which the running total module supplies a first table, calling the running total module with the same product type, and a mode of stock and deliveries, to which the running total module supplies a second table, and searching for times at which the running totals in the second table become less in the first table, which are indicative of a risk of supply shortage. Thus, for these additional reasons, Applicants submit GRETTVE fails to anticipate the invention recited in at least independent claim 8.

Accordingly, Applicants submit that GRETTVE fails to show each and every recited element of at least independent claim 8, such that the Examiner has failed to establish an adequate evidentiary basis to support a rejection of anticipation under 35 U.S.C. § 102(e). Therefore, Applicants submit the pending rejection is improper and should be withdrawn.

4. Independent Claim 18:

By the present amendment, claim 18 has been amended to positively recite the method of previous independent claim 1. Thus, Applicants submit that the embodiment of the invention recited in claim 18 is patentable over GRETTVE for at least the following reasons.

As noted above, GRETTVE fails to disclose *creating a list of product types required for each project*, producing *at least one table for each product type* for a sequence of time slices having a chosen time origin, wherein the purchases are shifted timewise according to a delay in time; and *searching the at least one table for times* at which the second running total is less than the first running total which is *indicative of a risk of at least one of a supply shortage and a necessity of initiating supply*, as recited in at least independent claim 18.

While GRETTVE discloses supplier means for receiving customer product information, including customer product balance data, customer outflow demand data from the customer means, and customer's customer product information such as customer's customer product balance data and customer's customer outflow demand data from customer's customer means via the customer means, *see GRETTVE, col. 3, lines 43 – 50*, the Examiner has not identified any express disclosure of creating a list of product types, and producing, *for each listed product type*, at least one table having a *first running total* for each time slice from the time origin up to a time slice of interest of a *first quantity associated with the dated requirements of the client site*, a *second running total* for each time slice from a time origin up to a time slice of interest, of a *second quantity associated with the stock and the purchases*. At best, GRETTVE creates a purchase order for delivery to the customer, in which a demand time for delivery is requested and stored in supplier means 18. However, the Examiner has not identified any specific

disclosure in GRETTVE that arguably disclosed that at least one table is produced for each product type.

Further, Applicants note that GRETTVE does not even arguably disclose the specifically recited features of the at least one table that is produced for each product type. While noting col. 3, lines 56 – 60 disclose determining and storing a demand time for a refilling of balance of customer storage based on customer product information, the Examiner has not shown how this disclosure relates to the above “table” of GRETTVE is produced for a sequence of time slices having a chosen time origin, as recited in at least independent claim 18. That is, the Examiner has not identified a time slice in GRETTVE and certainly not a sequence of time slices in tables for each product, as recited in independent claim 18. As GRETTVE is based upon an intended single delivery scheme by determining the optimum time for delivering the requested goods, GRETTVE has no need to consider sequences of time slices, as recited in Applicants. For this additional reason, Applicants submit GRETTVE fails to anticipate the instant invention.

Because GRETTVE fails to even arguably disclose the production of the recited at least one table for each product type for a sequence of time slices, Applicants submit that col. 4, lines 31 and 32 of GRETTVE cannot even arguably describe a *first running total* for each time slice from the time origin up to a time slice of interest of a *first quantity associated with the dated requirements of the client site*, as recited in at least independent claim 18. Further, as the above-noted disclosure of GRETTVE relates to the customer means 2, and not to the supplier means 1, which the Examiner asserts as the recited table, the cited disclosure in GRETTVE cannot be reasonably construed as further defining the at least one table, as recited in Applicants’ independent claim 18. Similarly, as GRETTVE fails to even arguably disclose the production of the recited at least one table for each product type for a sequence of time slices, Applicants

submit that col. 4, lines 40 – 44 of GRETTVE cannot even arguably describe a *second running total* for each time slice from a time origin up to a time slice of interest, of a *second quantity associated with the stock and the purchases*, as recited in at least independent claim 18. Again, this disclosure of GRETTVE is directed to the customer means 2, and therefore cannot logically further define the Examiner's alleged table that is supplier means 1. Moreover, as GRETTVE is directed to delivery of a purchase order, Applicants submit that GRETTVE fails to show, and the Examiner has failed to identify explicit disclosure of, purchases that are shifted timewise according to a delay in time, as recited in independent claim 18.

Further, as GRETTVE fails to disclose the first and second running totals, Applicants submit that col. 4, lines 50 – 54 of GRETTVE cannot even arguably describe *searching the at least one table for times* at which the second running total is less than the first running total which is *indicative of a risk of at least one of a supply shortage and a necessity of initiating supply*. As discussed above, GRETTVE determines the optimum time for delivering the goods to the customer, but there is no disclosure in GRETTVE that this determination is based upon the recited running totals in Applicants' at least one table for each product type for a sequence of time slices. Instead, GRETTVE makes his determination based upon customer information data, as described above. Thus, for this additional reason, Applicants submit GRETTVE fails to anticipate the invention recited in at least independent claim 18.

Accordingly, Applicants submit that GRETTVE fails to show each and every recited element of at least independent claim 18, such that the Examiner has failed to establish an adequate evidentiary basis to support a rejection of anticipation under 35 U.S.C. § 102(e). Therefore, Applicants submit the pending rejection is improper and should be withdrawn.

5. *Dependent Claims:*

Further, Applicant submits that claims 2 – 6, 9 – 17, and 20 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that GRETTVE fails to anticipate the invention recited in at least claims 2 – 6, 9 – 17, and 20, such that the pending rejections should be considered and withdrawn.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 1 – 20 under 35 U.S.C. § 102(e) and indicate that these claims are allowable in next official communication.

Application is Allowable

Thus, Applicants respectfully submit that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim of the present invention.

Authorization to Charge Deposit Account

The undersigned authorizes the charging of any necessary fees, including any extensions of time fees required to place the application in condition for allowance by Examiner's Amendment, to Deposit Account No. 19 - 0089 in order to maintain pendency of this application.

CONCLUSION

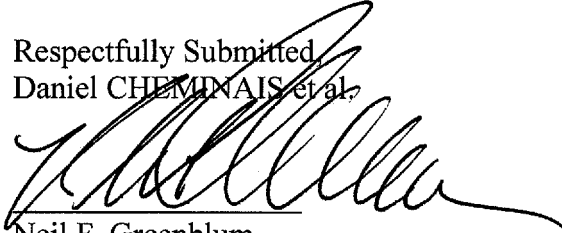
In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicants' invention, as recited in each of claims 1 – 20. The claims have been amended to eliminate any arguable basis for rejection based solely upon formal matters. In addition, the applied references

of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully Submitted,
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